

5272. Adulteration of shell eggs. U. S. * * * v. 45 Cases of Shell Eggs and U. S. * * * v. 15 Cases of Shell Eggs. Consent decrees of condemnation and forfeiture. Unfit portion ordered destroyed; good portion ordered released on bond. (F. & D. No. 7692. I. S. Nos. 21412-m, 21413-m. S. Nos. W-107, W-108.)

On August 15, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 45 cases of shell eggs, consigned by E. O. Kyner, Eustis, Nebr., and 15 cases of shell eggs, consigned by E. Ceder & Co., Farnam, Nebr., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 3, 1916, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 23, 1916, the Boulder Creamery Co., a corporation, Denver, Colo., claimant, having admitted the allegations of the libel, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the portion of the eggs found to be unfit for food be destroyed and the portion found to be fit for food be released to said claimant upon the filing of a good and sufficient bond, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*